

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In Re: LOCKHART CHEMICAL COMPANY, **Bankruptcy No.: 22-22005-CMB**

Debtor,

Chapter 7

**NATALIE LUTZ CARDIELLO,
CHAPTER 7 TRUSTEE FOR LOCHART
CHEMICAL COMPANY,**

Related to Doc. No. 92

**Hearing Date & Time:
March 14, 2023 at 1:30 p.m.**

Movant,

ENTERED BY DEFAULT

v.

NO RESPONDENT.

ORDER EMPLOYING SPECIAL COUNSEL NUNC PRO TUNC

AND NOW, this 6th day of March, 2023, upon consideration of the Application for Approval of Special Counsel, it is **ORDERED, ADJUDGED** and **DECREED** as follows:

(1) Fuchs Law Office, LLC, with an office address of 554 Washington Ave., Carnegie, PA, 15106, is hereby appointed, **as of the date of the filing of the Bankruptcy Case**, as Special Counsel for the Estate/Debtor pursuant to the terms (including compensation terms) described in the Motion for the limited purpose of acting as attorney in connection with the interest of the Estate/Trustee in prosecuting various claims against third parties for the benefit of the Estate. No settlement of any claim is to occur without prior Court Order after notice and hearing.

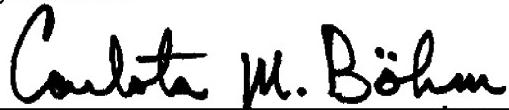
(2) Professional persons or entities performing services in the above case are advised that approval of fees for professional services will be based not only on the amount involved and the results accomplished, but other factors as well including: the time and labor reasonably required by counsel, the novelty and difficulty of the issues presented, the skill requisite to perform the legal service properly, the preclusion of other employment due to acceptance of this case, the customary fee, whether the fee is fixed or contingent, the time limitations imposed by the client or the circumstances, the experience, reputation and ability of the attorneys involved, the undesirability of the case, the nature and length of the professional relationship with the client, and, awards in similar cases.

(3) Approval of any motion for appointment of counsel in which certain hourly rates/compensation terms are stated for various professionals is not an agreement by the Court to allow fees at the requested hourly rates or compensation terms and is not a

preapproval of compensation pursuant to 11 U.S.C. §328(a). Final compensation, awarded only after notice and hearing, may be more or less than the requested hourly rates/compensation terms based on application of the above-mentioned factors in granting approval by Court Order. **Any retainer paid to the Special Counsel is unaffected by this Order and remains property of the Estate until further order of Court.**

(4) Notwithstanding anything to the contrary in the letter of engagement or agreement between Movant and Special Counsel, this Order does not authorize Special Counsel to retain or pay any outside counsel or other professional to assist Special Counsel in this matter unless such is done at no expense to Movant, directly or indirectly. Any other retention of and payment to an outside counsel or other professional is subject to prior approval of the Court.

By the Court:



dmr

Carlota Böhm,
United States Bankruptcy Judge

FILED
3/6/23 12:06 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Lockhart Chemical Company
Debtor

Case No. 22-22005-CMB
Chapter 7

District/off: 0315-2
Date Rcvd: Mar 06, 2023

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol **Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 08, 2023:

Recip ID	Recipient Name and Address
db	+ Lockhart Chemical Company, 8150 Perry Highway, Suite 307, Pittsburgh, PA 15237-5232
sp	+ Fuchs Law Office, LLC, 554 Washington Ave., Carnegie, PA 15106-2878

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 08, 2023

Signature: _____

/s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 6, 2023 at the address(es) listed below:

Name	Email Address
Arthur Osueke	on behalf of Creditor Pension Benefit Guaranty Corporation osueke.arthur@pbgc.gov
Catherine Beideman Heitzenrater	on behalf of Creditor CHUBB COMPANIES cheitzenrater@duanemorris.com
David L. Fuchs	on behalf of Trustee Natalie Lutz Cardiello dfuchs@fuchslawoffice.com 9924@notices.nextchapterbk.com
Ethan Draper	on behalf of Creditor Pension Benefit Guaranty Corporation draper.ethan@pbgc.gov
George W. Fitting	on behalf of Creditor American Refining Group Inc. gwfitting@duanemorris.com
Gwenyth S. Gamble Jarvi	

District/off: 0315-2

User: auto

Page 2 of 2

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Total Noticed: 2

on behalf of Debtor Lockhart Chemical Company ggamblejarvi@camlev.com
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Joseph N Kuptz

on behalf of Creditor City of Flint jkuptz@cityofflnt.com

Kathryn L. Harrison

on behalf of Debtor Lockhart Chemical Company kh@camlev.com
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Keith David Underkoffler

on behalf of Creditor Michigan Department of Environment Great Lakes, and Energy underkofflerk@michigan.gov,
kepicc1@michigan.gov

Kenneth M. Argentieri

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on behalf of Interested Party United States of America matthew.indrisano@usdoj.gov

Megen E. Miller

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Office of the United States Trustee

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Paul J. Cordaro

on behalf of Debtor Lockhart Chemical Company pjc@camlev.com
cndl@camlev.com;tmatiasic@yahoo.com;hlp@camlev.com;jmb@camlev.com;kmonahan@camlev.com

Stephen B. Grow

on behalf of Creditor Warner Norcross + Judd LLP sgrow@wnj.com hversteeg@wnj.com

William C. Price

on behalf of Creditor Neyer Tiseo & Hindo, Ltd. wprice@clarkhill.com, aporter@clarkhill.com

TOTAL: 20